IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Nigel C. Phillips and Mario C. Fillion)
Serial No. Not yet assigned (Continuation of 09/857,332))
Filed: March 23, 2004)
For: Chemotheraneutic Composition and Method)

INFORMATION DISCLOSURE STATEMENT

Mailstop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The citation of information on the attached Form PTO-1449, "Information Disclosure Statement by Applicant" is made pursuant to 37 C.F.R. §§ 1.97 and 1.98. A copy of each cited item is enclosed unless stated otherwise hereinbelow.

Pursuant to 37 C.F.R. §1.98(d), inasmuch as this application relies on prior application Serial No. 09/857,332 filed June 4, 2001 for an earlier filing date under 35 U.S.C. § 120, no copy of any patent, publication or other information previously cited by or submitted to the Office in such prior application is being provided herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV 041614119 US addressed to: Mailstop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on <u>March 23, 2004</u>.

Elena S. Polovnikova - Reg. No. 52,130

Information Disclosure Statement Continuation of 09/857,332 Page 2

The citation of this information does not constitute an admission that any of the materials are available as a reference or of priority, or a waiver of any right applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

Respectfully submitted,

Glena L. Polovikora

Elena S. Polovnikova Reg. No. 52,130

KILPATRICK STOCKTON LLP 1100 Peachtree Street Suite 2800 Atlanta, Georgia 30309-4530 (404) 815-6500

Our Docket: 02811-0152 (42368-298888)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for Form 1449/A/PTO Application Nu

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary

of 2

Sheet 1

Cor	nplete if Known
Application Number	Not yet assigned (Continuation of 09/857,332)
Filing Date	March 23, 2004
First Named Inventor	N. Phillips
Group Art Unit	Not yet assigned
Examiner Name	Not yet assigned
Attorney Docket Number	02811-0152 (42368-298888)

				U.S. PATENT DOCUMENT	S	
Examiner Initials	Cite No.1	U.S. Patent Number	Document Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	6,326,357		Phillips et al.	12-04-2001	
	2	6,329,347		Phillips et al.	12-11-2001	

				FOR	EIGN PATENT DOCUME	NTS		
Examiner Initials	Cite No.1	Office ³	Foreign Patent D	Ocument Kind Code ³ (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or	T ⁶
	3	wo	99 07383		Bioniche Inc.	02-18-1999	Relevant Figures Appear	\pm
								+
								上
								+-
								1

Examiner	0-4-	
	Date	
Signature	Considered	
	Considered	

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent document, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

PTO/SB/08B (08-00)

Approved for use through 10/31/2002 OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Complete if Known Substitute for Form 1449/A/PTO **Application Number** Not yet assigned (Continuation of 09/857,332) INFORMATION DISCLOSURE Filing Date March 23, 2004 STATEMENT BY APPLICANT First Named Inventor N. Phillips (use as many sheets as necessary Group Art Unit Not yet assigned **Examiner Name** Not yet assigned Sheet 2 2 **Attorney Docket Number** 02811-0152 (42368-298888) of

		OTHER INFORMATION - NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	4	Filion, M.C., et al, Mycobacterial Dna Induces Apoptosis In Myeloid Leukemia Cell Lines", Thirty-Ninth Annual Meeting Of The American Society Of Hematology, San Diego, California, Vol. 90 (10 Supp., 1 part 2) (December 5-9, 1997)	
	5	Filion, M.C., et al., "Mycobacterial Cell Wall-DNA Complex Induces Apoptosis in Cancer Cells", Database Biosis Online, Biosciences Information Service, Philadelphia, PA, XP002133100, J. of Pharmacy and Pharmacology, 135 th Meeting of the British Pharmaceutical Conference Eastbourne, England UK, Vol. 50, p. 39 (September 8-11, 1998)	
	6	Filion, M.C., et al., "Mycobacterial Phlei Cell Wall Complex, a New Anti-Tumoral Agent, Induces IL-12 Synthesis By Monocyte-Macrophages Via Associated DNA", Third-Ninth Annual Meeting of the American Society of Hematology, San Diego, California, Blood, Vol. 90 (10 Supp. 1 part 2) (December 5-9 1997)	
	7	Filion, et al., "Toxicity and Immunomodulatory Activity of Liposomal Vectors Formulated with Cationic Lipids Toward Immune Effector Cells", Biochim. Biophys. Acta, Vol. 1329, pp. 345-356 (1997)	
	8	Phillips, et al, "Influence of Phosphlipid Compositions on Antibody Responses to Liposome Encapsulated Protein and Peptide Antigens", <i>Vaccine</i> , Vol. 14, No. 9, pp. 898-904 (1996)	
	9	Yamamoto, S., et al., "In vitro Augmentation of Natural Killer Cell Activity and Production of Interferon- α/β and –y with Deoxyribonucleic Acid Fraction From Mycobacterium bovis BCG", Jpn. J. Cancer Res., Vol. 79, pp 866-873	
		3	